

JC10 Rec'd PCT/PTO 11 FEB 2002

FORM PTO 1390 (REV 9-2001)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER HO-P02379US0	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/049321	
INTERNATIONAL APPLICATION NO. PCT/GB00/02924		INTERNATIONAL FILING DATES 28/07/2000		PRIORITY DATE CLAIMED 30/07/1999	
TITLE OF INVENTION MICROENCAPSULATED NITRIC OXIDE SYNTHASE SOURCE					
APPLICANT(S) FOR DO/EO/US Ian G. Charles, et al.					

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing 35 U.S.C. 371
- ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☒ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
- ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - ☒ is attached hereto (required only if not communicated by the International Bureau).
 - ☐ has been communicated by the International Bureau.
 - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - ☐ is attached hereto.
 - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - ☐ are attached hereto (required only if not communicated by the International Bureau).
 - ☐ have been communicated by the International Bureau.
 - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
- ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
- ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

- ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
- ☒ A **FIRST** preliminary amendment.
- ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
- ☐ A substitute specification.
- ☒ A change of power of attorney and/or address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
- ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information: See Return Postcard

U.S. APPLICATION NO. 10/049321 INTERNATIONAL APPLICATION NO. PCT/GB00/02924 ATTORNEY'S DOCKET NUMBER HO-P02379US0																																																		
21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) – (5)): <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$890.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT = Surcharge of \$ <u>130.00</u> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).	CALCULATIONS PTO USE ONLY <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; border-bottom: 1px solid black;">\$ 890.00</td> <td style="width: 50%;"></td> </tr> <tr> <td style="border-bottom: 1px solid black;">\$ 130.00</td> <td></td> </tr> </table>		\$ 890.00		\$ 130.00																																													
\$ 890.00																																																		
\$ 130.00																																																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">CLAIMS</th> <th style="width: 25%;">NUMBER FILED</th> <th style="width: 25%;">NUMBER EXTRA</th> <th style="width: 25%;">RATE</th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>23-20 =</td> <td>3</td> <td>x 18.00</td> </tr> <tr> <td>Independent claims</td> <td>3-3 =</td> <td></td> <td>x</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(s) (if applicable)</td> <td>+</td> </tr> <tr> <td colspan="3">TOTAL OF ABOVE CALCULATIONS =</td> <td></td> </tr> <tr> <td colspan="3"> <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. </td> <td></td> </tr> <tr> <td colspan="3">SUBTOTAL =</td> <td></td> </tr> <tr> <td colspan="3"> Processing fee of \$ _____ for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). + </td> <td></td> </tr> <tr> <td colspan="3">TOTAL NATIONAL FEE =</td> <td></td> </tr> <tr> <td colspan="3"> Fee for recording the enclosed assignment (37 CFR 1.21 (h)). Assignment must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31) (_____ per property). + </td> <td></td> </tr> <tr> <td colspan="3">TOTAL FEES ENCLOSED =</td> <td></td> </tr> </tbody> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	23-20 =	3	x 18.00	Independent claims	3-3 =		x	MULTIPLE DEPENDENT CLAIM(s) (if applicable)			+	TOTAL OF ABOVE CALCULATIONS =				<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				SUBTOTAL =				Processing fee of \$ _____ for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). +				TOTAL NATIONAL FEE =				Fee for recording the enclosed assignment (37 CFR 1.21 (h)). Assignment must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31) (_____ per property). +				TOTAL FEES ENCLOSED =				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Amount to be Refunded:</td> <td style="width: 50%; text-align: right;">\$</td> </tr> <tr> <td>Charged:</td> <td style="text-align: right;">\$</td> </tr> </table>		Amount to be Refunded:	\$	Charged:	\$
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																																															
Total claims	23-20 =	3	x 18.00																																															
Independent claims	3-3 =		x																																															
MULTIPLE DEPENDENT CLAIM(s) (if applicable)			+																																															
TOTAL OF ABOVE CALCULATIONS =																																																		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.																																																		
SUBTOTAL =																																																		
Processing fee of \$ _____ for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). +																																																		
TOTAL NATIONAL FEE =																																																		
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). Assignment must be accompanied by appropriate cover sheet (37 CFR 3.28, 3.31) (_____ per property). +																																																		
TOTAL FEES ENCLOSED =																																																		
Amount to be Refunded:	\$																																																	
Charged:	\$																																																	
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>537.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to my Deposit Account No. <u>06-2375</u> . A duplicate copy of this sheet is enclosed.																																																		
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.																																																		
SEND ALL CORRESPONDENCE TO: Melissa W. Acosta FULBRIGHT & JAWORSKI L.L.P. 1301 McKinney, Suite 5100 Houston, Texas 77010-3095 (713) 651-5407																																																		
			SIGNATURE _____ NAME _____ REGISTRATION NUMBER <u>45,872</u>																																															